

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

MAMIE LEE WANDICK,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-1105-CV-W-HFS
)	
GARY LOCKE,)	
Secretary, U.S. Department of Commerce,)	
)	
Defendant.)	

ORDER

This case was dismissed with prejudice three years ago on recitation that it had been settled. (Doc. 38). Last September, however, plaintiff, appearing pro se, filed a document titled “breach of settlement agreement” that was later corrected by the clerk’s office to reflect plaintiff’s oral statement that it was intended to be a motion seeking some relief. (Doc. 29). The parties have made subsequent filings, apparently debating the merits of the claim of breach.

I have an obligation to examine whether I have continuing jurisdiction over this closed case. Proceeding to consider and rule the merits might simply result in an appellate ruling that my action should be reversed, for lack of jurisdiction. 4:20 Communications, Inc. v. The Paradigm Company, 336 F.3d 775 (8th Cir. 2003).

It is therefore ORDERED that any claim for jurisdiction that either side wishes to present shall be filed, with adequate support, within 21 days of this date. A dismissal for want of jurisdiction may be entered without further notice.

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

July 5, 2011

Kansas City, Missouri